

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing figures 2 and 3 are being presented as replacement sheets to be substituted for the previously submitted drawing sheets containing figures 2 and 3. The drawing figures 2 and 3 have been amended.

The specific change which has been made to FIG. 2 is that “Racket Division Unit” has been changed to “Packet Division Unit”.

The specific change which has been made to FIG. 3 is that “Racket Division Unit” has been changed to “Packet Division Unit”.

REMARKS

Status of Claims:

Claims 1-39 are cancelled without prejudice or disclaimer. New claims 40-69 are added. Thus, claims 40-69 are pending in the application. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

Drawings:

The drawings are objected to because reference 21 in FIGS. 2 and 3 should be labeled “Packet Division Unit” rather than “Racket Division Unit”.

FIGS. 2 and 3 have been amended in accordance with the Examiner’s suggestion to change “Racket Division Unit” to “Packet Division Unit”.

Thus, the drawings, as amended, are believed to be in compliance with the requirements of 37 CFR 1.121(d).

Specification:

The Examiner stated that the specification should be revised in order to comply with 35 U.S.C. 112, first paragraph.

A substitute specification with marked-up version is being submitted for the Examiner’s consideration. No new matter has been added.

The Examiner listed some examples of what the Examiner felt were unclear, inexact, or verbose terms used in the specification. It is believed that the amendments to the specification have addressed the Examiner’s concerns.

The Examiner inquired as to what is a QoS non-guaranteed network. (Office Action; page 3). A QoS non-guaranteed network is a network in which a quality of service for data transmission is not guaranteed.

The Examiner inquired as to how “in common use across borders” is substantially different from “all over the world”. (Office Action; page 3). It is submitted that “across borders” means between at least two countries, while “all over the world” encompasses a greater area.

The Examiner inquired into what is a network centered on line exchange in a telephone network. (Office Action; page 3). It is submitted that a network centered on line exchange is a network in which communication between telephones occurs over a telephone line connection.

The Examiner inquired as to whether “IP network” implicitly includes a network based on packet exchange. (Office Action; page 3). The recitation of “based on packet exchange” is merely provided as clarifying language.

Therefore, the specification, as amended, is believed to be in compliance with the requirements of 35 U.S.C. 112, first paragraph.

Claim Objections:

Claims 1, 15, 30, and 31 are objected to by the Examiner.

Claims 1, 15, 30, and 31 have been cancelled without prejudice or disclaimer. Thus, the objections are moot.

Claim Rejections Under 35 U.S.C. 112:

Claims 1-39 are rejected under 35 U.S.C. 112, first paragraph, as lacking enablement.

Claims 4-7, 14, 20, 21, 24, 25, 38, and 39 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Claims 1-39 have been cancelled without prejudice or disclaimer. Thus, the rejections are moot.

Claim Rejections Under 35 U.S.C. 102:

Claims 1-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Kudo et al. (U.S. Patent No. 5,148,429) (hereinafter Kudo).

Claims 1-39 have been cancelled without prejudice or disclaimer. Thus, the rejection is moot.

New Claims:

New independent claim 40 recites a voice data transmitting system, comprising:

“a communication terminal configured to generate packets based on voice data;

a voice recognizer unit configured to determine divisions of utterances represented by the voice data, and configured to divide the voice data into clause units in accordance with the divisions; and

a packet combine unit configured to combine, for each of the clause units, **every packet** of said packets **that includes portions of the voice data for the clause unit** into a corresponding **single packet**.” (Emphasis Added).

A voice data transmitting system including the above-quoted features has at least the advantages that: (i) a communication terminal is configured to generate packets based on voice data; (ii) a voice recognizer unit is configured to determine divisions of utterances represented by the voice data, and is configured to divide the voice data into clause units in accordance with the divisions; and (iii) a packet combine unit is configured to combine, for each of the clause units, **every packet** of said packets **that includes portions of the voice data for the clause unit** into a corresponding **single packet**. (See Applicants’ Specification As Filed, page 8, line 23 – page 9, line 5).

Kudo neither discloses nor suggests a voice data transmitting system including the above-quoted features. The system of Kudo detects a change in a voice signal from a voice absence part to a voice presence part, and provides a voice detection signal when there is such a change in the voice signal. (Kudo; col. 4, lines 3-6; col. 5, lines 6-12; col. 7, lines 33-35).

Upon detecting a change in the voice signal, the system of Kudo combines a voice data block being written during the change in the voice signal with one or more voice data blocks that have already been written prior to the detected change in the voice signal, and then transmits those blocks on a burst basis utilizing wide band transmission. (Kudo; col. 4, lines 3-15; col. 5, lines 6-25; col. 7, lines 30-35). The **remaining** voice data blocks that occur while the voice signal is present and before the voice signal goes absent again are **not** combined into a **single** packet in the system of Kudo, but rather are **each transmitted separately**. (Kudo; FIGS. 8(A)-(E)).

This is evident from FIGS. 8(A)-(D) of Kudo. FIG. 8(A) of Kudo illustrates an input voice signal, and FIG. 8(B) of Kudo shows an example in which voice presence is detected while a third block for the voice signal is being written. (Kudo; col. 5, lines 6-32). In such a case, the system of Kudo prepares a packet with the third block and the **two prior blocks**, and then transmits that packet on a burst basis as illustrated in FIG. 8(C). (Kudo; col. 5, lines 6-32). However, as is also illustrated in FIG. 8(C) of Kudo, the remaining fourth through thirteenth blocks for the voice signal, which are obtained prior to another absence of the voice signal, are **not** combined into the **packet** with the first through third blocks. (Kudo; col. 5, lines 6-32). Instead, the fourth through thirteenth blocks for the voice signal are **each transmitted separately**. (Kudo; FIG. 8(C)).

As a consequence, Kudo neither discloses nor suggests to combine, for each clause unit, **every packet** that includes portions of the voice signal for the clause unit into a corresponding **single packet**. (Kudo; FIG. 8(C)). This is clearly shown in FIG. 8(C) of Kudo, where the fourth through thirteenth blocks for the voice signal are **each transmitted separately** and **not** as a **single packet**. (Kudo; FIG. 8(C)).

Therefore, new independent claim 40 is neither disclosed nor suggested by the Kudo reference and, hence, is believed to be allowable. Because they depend from new independent claim 40, new dependent claims 41-53 are believed to be allowable for at least the same reasons that new independent claim 40 is believed to be allowable.

New independent claim 54 recites a method with features similar to features of a voice data transmitting system of new independent claim 40 and, thus, is believed to be allowable for at least the same reasons discussed above with respect to new independent claim 40. Because they depend from new independent claim 54, new dependent claims 55-67 are believed to be allowable for at least the same reasons that new independent claim 54 is believed to be allowable.

New independent claims 68 and 69 also recite features that are neither disclosed nor suggested by the Kudo reference.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 21, 2008

By Justin M. Sobaje

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (213) 972-4596
Facsimile: (213) 486-0065

Justin M. Sobaje
Attorney for Applicant
Registration No. 56,252